

# WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – DAVID G. ARGALL, CHAIRMAN

## Monday, June 22, 2020

[Senate Bill 331](#) (Brooks) would amend the Public School Code to establish the Secondary Education Fire Training Pilot Program to provide high school students with instruction through a partnership with institutions of higher education and school districts or career and technical schools to increase the number of individuals capable of becoming volunteer firefighters. The State Fire Commissioner would accept proposals from Pennsylvania institutions of higher education for the pilot program. From the proposals submitted, the Commissioner would select three institutions to offer the pilot program. Nothing would prohibit an institution from incorporating emergency medical services instruction into the program. An institution of higher education selected by the Fire Commissioner would enter into agreements with school entities for the provision of fire instruction to students leading to Firefighter I certification. The Fire Training Fund would be established for monetary donations and appropriations for the program. Each institution offering the program would receive \$150,000 for the duration of the program. During the pilot program, the Legislative Budget and Finance Committee would conduct a survey of volunteer fire companies located in the areas with schools participating in the pilot program to determine whether it is increasing the number of volunteer firefighters. The pilot program would expire in four years. [Passed: 50-0.](#)

[Senate Bill 532](#) (Phillips-Hill) would amend Title 38 (Holidays and Observances) of the Pennsylvania Consolidated Statutes to recognize the contributions of veterans of the United States Armed Forces from Pennsylvania in major conflicts since the Vietnam War. The measure would designate:

- March 6 as Persian Gulf War Veterans Day; and
- October 7 as Global War on Terrorism Veterans Day.

The Governor would be required to issue a proclamation annually encouraging all public schools and educational institutions to observe these special days by conducting exercises recognizing the contributions and sacrifices made by these veterans. [Passed: 50-0.](#)

[Senate Bill 957](#) (Bartolotta) would amend Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes to direct the Department of Military Affairs to design an official Commonwealth logotype to be used by servicemember-owned businesses. The logotype would have to include the Commonwealth coat of arms and the words "Pennsylvania veteran-owned business," "Pennsylvania reservist-owned business" or "Pennsylvania National Guard-owned business." The Department, in consultation with the Department of General Services, would be required to verify the military service status of business owners seeking a servicemember-owned business logotype. The Department of Military Affairs would be required to post a notice on its website that the Commonwealth logotype is available to businesses and include information on how to apply for it. A person would commit a misdemeanor of the third degree if the person

fraudulently holds himself out to be a veteran for the purpose of obtaining a logotype. Notwithstanding any other provision of law, the full amount of each fine collected would have to be deposited into the Veterans' Trust Fund. **Passed: 50-0.**

**House Bill 1379** (Rigby) would repeal Act 187 of 1935, known as the Sunday Polo Act. **Passed: 50-0.**

**House Bill 1405** (Hershey) would repeal Act 188 of 1935, known as the Sunday Tennis Act. **Passed: 49-1.**

### **Tuesday, June 23, 2020**

**Senate Bill 1188** (Blake) would amend Act 511 of 1965, the Local Tax Enabling Act, to provide for further limitations on municipal taxing authority. The bill would amend Section 301.1, which pertains to restrictions on taxing authority, to prohibit the imposition of amusement taxes on certain for-profit common carrier railroads. Specifically, no amusement tax could be imposed on the movement of passengers by a for-profit railroad that operates as a common carrier of freight, if the freight constitutes a majority of the movements handled by the railroad as measured by both income and volume, and the for-profit railroad transports more than 20,000 revenue carloads annually while offering tourist or passenger service. The measure would also amend Section 320 to change the aggregate tax limitations imposed on political subdivisions by providing that revenues from a tax authorized under Act 47 of 1987 (Municipalities Financial Recovery Act), Act 205 of 1984 (Municipal Pension Plan Funding Standard and Recovery Act), or revenues from a tax levied by a home rule municipality in compliance with 53 Pa.C.S. § 2962(b) would not be included in the calculation of the aggregate amount of taxes covered by Section 320. **Passed: 49-0.**

**House Bill 808** (Mehaffie) would amend Title 30 (Fish) of the Pennsylvania Consolidated Statutes to allow the Pennsylvania Fish and Boat Commission to establish the fees outlined in the legislation beginning on July 1, 2021. In order to establish fees, the Commission would have to publish a notice of proposed rulemaking in accordance with the Commonwealth Documents Law, give at least 30 days for the submission of written comments, and hold at least one public hearing on the proposed change. The Commission would be required to review and consider any public comments. After adoption of a final-form regulation, the Commission would be required to submit the regulation, copies of all public comments, and the transcript of the public hearing to the Senate and House Game and Fisheries Committees.

The General Assembly could disapprove the fee increase by the adoption of a concurrent resolution. If a concurrent resolution is adopted by the General Assembly, it would be presented to the Governor. If the Governor does not veto the resolution within 10 days, the regulation would be deemed disapproved. If the Governor does veto the resolution, the General Assembly would have 30 days to override the veto. If the General Assembly does not override the veto, the regulation would be deemed approved. If approved, the Commission would submit the regulation to the Office of Attorney General for approval as to legality, publish an order adopting the final-form regulation and deposit the text of the order with the Legislative Reference Bureau in accordance with the Commonwealth Documents Law. The authorization for the Commission

to establish fees would expire on July 15, 2025. The Commission would be required to provide notice of any fee change, publish the change in the *Pennsylvania Bulletin* and post it on its website. The bill would also remove the word “salmon” from the trout/salmon permit and make minor technical amendments to ensure consistency throughout Title 30. **Passed: 44-5.**

**House Bill 1003** (Gillespie) would amend Title 30 (Fish) of the Pennsylvania Consolidated Statutes to establish the following criminal penalties for any person who fails to comply with the requirements to properly mark a new or existing run-of-the-river dam, as defined in the legislation:

- A first offense would be graded as a summary offense of the first degree resulting in a fine of \$250; and
- Subsequent offenses would be graded as a misdemeanor of the third degree resulting in a fine of not less than \$250 nor more than \$5,000.

The bill would also set the following penalties for any person who fails to maintain marking signs or buoys for run-of-the-river dams:

- A first offense would be graded as a summary offense of the second degree resulting in a fine of \$150; and
- Subsequent offenses would be graded as a summary offense of the first degree resulting in a fine of \$250.

For both offenses, each month of noncompliance would constitute a separate violation.

**Passed: 49-0.**

**House Bill 1185** (Mentzer) would amend Title 30 (Fish) of the Pennsylvania Consolidated Statutes to make a number of changes, including increasing penalties for harmful and reckless boating behavior to make them more consistent with Title 18 (Crimes and Offenses). Among other provisions, the legislation would:

- Amend Section 703, which relates to damage caused to Commission property, by adding the requirement of restitution. The bill would provide that a person who intentionally or recklessly causes damages to commission property, or an improvement on commission property, would, upon conviction, be required to make restitution in addition to other penalties. The restitution would be based on the total cost to repair or replace the destroyed or damaged property;
- Amend Section 2503 (relating to littering) to require an individual who is convicted of or acknowledges guilt of a violation for littering to be liable to pay, upon demand of the person having legal control of the land or water, a sum equal to the cost of disposal of the discarded item, in addition to paying the penalty currently provided for in statute;

- Increase the penalties for violations of Section 5103, which makes it mandatory to undergo boating education before operating watercraft. A current violation is a summary offense of the second degree without specified penalty. Section 5103 would be amended to provide that an individual who operates a motorboat without first obtaining a certificate of boating safety education commits a summary offense of the second degree (fine of \$150 or imprisonment not exceeding 20 days), while a person who operates a boat without having a valid certificate of boating safety education in the person's possession commits a summary offense of the fourth degree (fine of \$25). If an individual operates a motorboat without a certificate of boating safety education in their possession but claims that they have obtained one, the waterways conservation officer or other law enforcement officer would have to give the operator seven days to produce the original certificate;
- Add a new section, Section 5502.4 (related to aggravated assault by watercraft), to provide that an individual who recklessly or with gross negligence causes serious bodily injury to another person while engaged in a violation of Title 30, except operating watercraft under the influence, commits aggravated assault by watercraft, a felony of the third degree (a fine of \$2,500 to \$15,000, or imprisonment not exceeding seven years, or both), when the violation is the cause of the injury; and
- Make changes to the boating under the influence provisions found in Section 5502. The section would now provide that Accelerated Rehabilitative Disposition (ARD) could not be brought as a charge option if the defendant has been found guilty or accepted ARD for either Boating Under the Influence (BUI) under Title 30 or Driving Under the Influence (DUI) under Title 75 (Vehicle Code) within the last 10 years or there was a passenger under 14 years of age in the watercraft the defendant was operating. The section would also provide that an individual who operates a watercraft under the influence with a minor passenger under the age of 18 commits a misdemeanor of the first degree (fine of \$1,500 to \$10,000, or imprisonment not exceeding five years, or both). Subsection (c) (1) (relating to penalties) would also be amended to provide that such action would result in an additional penalty of a fine of no less than \$1,000 and completion of 100 hours of community service for a first offense; a fine of not less than \$2,500 and imprisonment of one to six months for a second offense; and imprisonment of six months to two years for a third or subsequent offense. **Passed: 49-0.**

**House Bill 1188** (Wentling) would amend Title 34 (Game) of the Pennsylvania Consolidated Statutes to remove the restriction on the use of infrared, thermal and similar night vision optics for the hunting of game. **Passed: 48-1.**

**House Bill 1564** (Emrick) would amend Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes to provide for the assessment of mobile and manufactured homes. The legislation would add the definitions of “manufactured home” and “mobile home” and would replace the term “house trailer” with “manufactured home.” A subsection would be added regarding the assessment of mobile homes and manufactured homes. In arriving at the actual value of a home, a county assessor could consider the following factors: 1) the value placed on the home in a national directory or valuation guide prepared by an association that analyzes

mobile home or manufactured home sales and other relevant data; 2) any depreciation in value of the unit; 3) the ability of the unit to be readily transported from one site to another; 4) the fair market value of the home using the approaches to value listed in the bill but not including the value of the land on which the home is located; and 5) any improvement made to the home. The term “mobile home court operators” would be replaced with “manufactured housing community owners.”

A section would be added to establish provisions in the event of a declaration by the Governor of a disaster emergency that occurs in the year during which a county conducts appeals incident to a court-ordered countywide reassessment. The following would apply:

1. The county would have to mail the notice required regarding the value of the new assessment on or before July 1, except that the notice would have to specify the right to appeal any new assessment value within the time period under paragraph (2);
2. All property owners and affected taxing districts would have the right to appeal any new assessment value no later than September 1 of the year in which the notice under paragraph (1) is mailed;
3. The board of assessment appeals or the board of assessment revision, in its discretion, could commence the hearing of appeals as soon as practicable. All appeals would have to be heard and acted upon by the board not later than November 15;
4. As provided in current law, hearing notices would have to be mailed to the appealing property owner no later than 20 days prior to the scheduled hearing date. Failure of the appealing party to appear at a scheduled hearing would deem the claim abandoned;
5. New tax assessment rolls would have to be certified by the county assessment office to each taxing district by December 1, 2020; and
6. The subsection would expire on December 31, 2020.

During a disaster declaration by the Governor, the training of the assessment appeals board and auxiliary appeals board members would not be a precondition or qualification for a member of either board to hear and decide an appeal until six months or, in the case of a county subject to a court-ordered countywide reassessment on the effective date of the emergency, one year, following the termination of the disaster emergency.

The provisions affecting the assessment of mobile and manufactured homes would take effect January 1 of the year following the date of enactment. The provisions relating to countywide revisions of assessment during a declared disaster emergency would be effective immediately. **Passed: 49-0.**

*Executive Session*

Nominations to Various Boards and Air and Army National Guard Positions. [Confirmed: 49-0.](#)

**Wednesday, June 24, 2020**

[Senate Bill 459](#) (Costa) would amend Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes to require each law enforcement agency to maintain records of all incidents involving a use of force by a law enforcement officer. The Pennsylvania State Police Commissioner, in consultation with the Pennsylvania Chiefs of Police Association and the Fraternal Order of Police, would be required to develop a reporting mechanism. Law enforcement agencies would be required to comply with the reporting requirement and submit records of all use of force incidents. The State Police Commissioner, with the approval of the Municipal Police Officers' Education and Training Commission, would determine the most efficient and least burdensome procedure by which the reporting requirement would be implemented and maintained. The procedure could be incorporated within existing or forthcoming uniform crime reporting functions, including a national incident-based reporting system. The State Police would be required to compile the data on annual basis and provide an annual report with the information delineated in the legislation to the Office of Attorney General, the Senate and House Judiciary Committees, and the Senate Law and Justice Committee. The first annual report would be due following the first full calendar year of data collection.

[Passed: 50-0.](#)

[Senate Bill 595](#) (Mensch) would amend the Insurance Company Law of 1921 to require coverage for additional types of diagnostic breast imaging. The measure would require coverage for supplemental magnetic resonance imaging or, if imaging is not possible, ultrasound if recommended by the treating physician because the patient is believed to be at risk for breast cancer due to the factors listed in the legislation. Among others, these factors would include extremely dense breast tissue or a personal or family history of breast cancer. The changes could not be construed to require an insurer to cover mastectomy or to prevent the application of deductible, copayment or coinsurance provisions contained in the policy or plan. [Concurrence in House Amendments: 50-0.](#)

[Senate Bill 637](#) (DiSanto) would amend Title 18 (Crimes and Offenses) and Title 63 (Professions and Occupations) of the Pennsylvania Consolidated Statutes to reform how criminal convictions could be considered by professional licensing boards and commissions. The bill would also consolidate Act 48 of 1993, which pertained to the Bureau of Professional and Occupational Affairs, into Title 63. Specifically, a licensing board or licensing commission would no longer consider the provisions in the respective practice acts regarding "good moral character," "crimes of moral turpitude," honest or unethical practice, or other statutory provisions regarding consideration of criminal convictions.

The legislation would establish a two-stage process by which criminal convictions would be analyzed by licensing boards and commissions. The first stage would involve whether the conviction directly relates to the occupation, trade or profession. Each licensing board would be required to publish a schedule of criminal offenses that could constitute grounds to deny,

suspend, or revoke a license. If the crime is directly related to the occupation, the licensing board would use 11 factors delineated in the bill to weigh the circumstances of the crime and a person's rehabilitation to determine whether licensure would pose a substantial risk to patients or the public. There would be a rebuttable presumption that licensure would pose a significant risk, which could be rebutted by a showing of rehabilitation. If the conviction does not directly relate to the occupation, trade or profession, the licensing board would use the 11 individualized assessment factors to determine whether licensure would pose a substantial risk to health and safety or a substantial risk of further criminal convictions.

A licensing board or commission could not issue a license to an individual to practice as a health care practitioner if the individual has been convicted of a sexual offense. Licensing boards could no longer consider juvenile adjudications when determining whether to issue a license, registration, certification or permit. The measure would allow those who commit a crime of violence (murder of the third degree, voluntary manslaughter, aggravated assault, rape, and other offenses where force or a weapon is used) to get a license, but the person would have to wait three years after being released from incarceration. Individuals with criminal convictions could request a preliminary determination as to whether the individual's criminal convictions will likely disqualify them from receiving a license. Convictions which have been annulled or expunged could not be used to prohibit consideration of a license, certificate, registration or permit application.

The State Board of Barber Examiners and the State Board of Cosmetology would be allowed to issue a restricted license to those who have committed criminal offenses, but who are trained by the Department of Corrections (DOC) in barbering or cosmetology. The board would determine how long the restricted license would last (one or two years) and require that the person be supervised by another licensee. Upon completion of the one- or two-year period, the person would receive a license to practice barbering or cosmetology. Restricted licenses could be created by other boards if DOC offers training in another occupation. Within two years of the effective date and every four years thereafter, the Secretary of the Commonwealth would be required to issue a written report to the General Assembly regarding the implementation of the new provisions. [Concurrence in House Amendments: 50-0.](#)

[Senate Bill 655](#) (Boscola) would create the Nurse Licensure Compact Act to grant the Governor authority to execute a nurse licensure compact with any one or more states of the United States. The compact would provide for a multistate license allowing registered nurses (RN) or licensed practical nurses (LPN) to practice as an RN or LPN under the multistate licensure privilege in each compact state. Compact states would be required to participate in a coordinated licensure system that includes information on the licensure and disciplinary history of each nurse. The head of the state licensing board or designee would be the administrator of the compact for Pennsylvania and hold one vote on the Interstate Commission of Nurse Licensure Compact Administrators. The Commission would have the authority to promulgate uniform rules to facilitate and coordinate implementation and administration of the compact. The compact would become operative between Pennsylvania and other states when the Governor executes the compact on behalf of the state and files a verified copy with the Secretary of the Commonwealth. The Secretary of the Commonwealth would be required to publish a notice in the *Pennsylvania Bulletin* that includes the date on which the compact becomes effective. [Passed: 50-0.](#)

[Senate Bill 1205](#) (Street) would amend Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes to require each law enforcement agency to develop and implement a written use of force policy governing the procedures under which a law enforcement officer should initiate, continue and terminate the use of force. The policy could be a model policy endorsed by a national or state organization or association that is consistent with the requirements of the legislation. Each policy would have to be consistent with current training and certification standards and include decision-making criteria for initiation and termination of force. Each policy would have to prohibit the use of choke holds by law enforcement officers except in cases in which deadly force is authorized. Before carrying a weapon, each law enforcement officer would have to receive training and instruction on the proper use of force and the agency's policies and statutes with regard to force. The training would have to continue on an annual basis. Every other year, the Municipal Police Officers' Education and Training Commission would be required to certify that each law enforcement agency has a use of force policy in effect and report to the Pennsylvania State Police. A policy would be available to the general public upon request and would have to be posted on a publicly accessible website maintained by the law enforcement agency. **Passed: 50-0.**

[Senate Bill 1214](#) (Argall) would authorize the Department of General Services, with the approval of the Department of Corrections, to convey approximately 23.74 acres of land at the State Correctional Institution Mahanoy, in Mahanoy Township, Schuylkill County to the Schuylkill County Municipal Authority for a permanent easement at a purchase price of \$1.00. As a condition of the sale, a restrictive covenant would require the easement to be utilized only for establishing, utilizing, and maintaining water wells and appurtenances for potable water production and distribution for the benefit of the Schuylkill County Municipal Authority's customers. If the easement is not utilized for these purposes, it would automatically extinguish. Costs and fees incidental to the conveyance would be borne by the grantee. In the event that the parties have not entered into an easement agreement within two years of the effective date of the legislation, the authorization for the conveyance would expire. **Passed: 50-0.**

[Senate Resolution 333](#) (Arnold) designates the month of June 2020 as "Cancer Survivors Recognition Month" in Pennsylvania and honors all cancer survivors for their strength and courage in the face of this devastating illness. **Adopted by Voice Vote.**

[Senate Resolution 336](#) (Street) observes June 19, 2020, as "Juneteenth National Freedom Day" in Pennsylvania. **Adopted by Voice Vote.**

[House Bill 364](#) (Gabler) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to permit a yellow flashing light on a school vehicle and make omnibus changes to school bus camera enforcement systems, which can be utilized under current law to enforce a violation of overtaking a school bus with an extended stop arm and flashing red signals. The legislation would permit a "school vehicle" to affix one flashing or revolving yellow light onto the roof either permanently or temporarily. The light could be used only when preparing to stop or when stopped to unload a school student along a highway. The Department of Transportation would be required to develop regulations on the display and intensity of the lights. The yellow light would not grant the driver of the school vehicle any additional privileges.

Under the school bus camera enforcement provisions, the measure would establish that the owner of a vehicle recorded by a camera system illegally passing a school bus would be liable for a \$300 civil penalty. A rebuttal presumption would exist that the owner of the vehicle was the operator at the time of the violation. The \$300 fine would not be subject to additional surcharges and would be distributed as follows:

- \$250 to the school district, which would be utilized for the installation and maintenance of the school bus cameras;
- \$25 to the police department that reviewed the evidence package for the violation; and
- \$25 to the School Bus Safety Grant Program.

A vehicle owner would not be liable for the \$300 civil fine if the owner is convicted of the same violation under Section 3345 (meeting or overtaking school bus). A violation would not: be considered a criminal conviction; be made part of the individual's driving record; be subject to a merit rating for insurance purposes; or authorize surcharge points for vehicle insurance coverage purposes. The camera system could not record images of the driver, passengers or contents of the vehicle.

It would be a defense to a violation that the individual was not operating the vehicle at the time of the violation. The owner of the vehicle could be required to submit evidence that he or she was not the driver. It would also be a defense if the vehicle was reported stolen or if the owner was not actually the owner of the vehicle.

The vendor for a school bus camera enforcement system would submit the evidence package to the police or police department for review. The school district could enter into an intergovernmental agreement with the primary police department to issue the violations. If a primary police department does not exist, the school district could petition PSP to review the evidence package. Officers would review the evidence package and mail a notice of violation to the violator as outlined in the bill. The owner of the vehicle could pay or contest the fine within 30 days. The legislation would eliminate the prohibition in current law on a vendor receiving compensation on a per-citation-basis. **Passed: 50-0.**

**House Bill 1457** (Schroeder) would amend the Insurance Company Law of 1921 to provide insurance coverage for custom-fabricated breast prostheses following mastectomy surgery. Specifically, the legislation would amend the definition of "prosthetic devices" under Section 633 (relating to mastectomy and breast cancer reconstruction) to include custom artificial devices. **Passed: 50-0.**

**House Bill 1597** (Gillen) would designate the following highways and bridges:

- The highway interchange of U.S. Route 222 with Mohns Hill Road in Cumru Township, Berks County, as the Corporal Mahlon L. Fink Iwo Jima Memorial Highway;

- The portion of S.R. 1015 between S.R. 63 and U.S. Route 13 in the City of Philadelphia as the Sergeant James O’Connor IV Memorial Bridge;
- The bridge, identified as Bridge Key 57213, carrying State Route 1036 over Six Mile Run, Broad Top Township, Bedford County, as the Sergeant David Leon Barber Memorial Bridge;
- The bridge, identified as Bridge Key 52785, located on State Route 4027 over Bald Eagle Creek, Snyder Township, Blair County, as the Corporal Donald L. Westley Memorial Bridge;
- The bridge, identified as Bridge Key 48976, on that portion of Pennsylvania Route 669 that crosses the Casselman River at the west end of Ord Street, Salisbury Borough, Somerset County, as the Sergeant Stephen M. Minick Memorial Bridge;
- The bridge, identified as Bridge Key 31586, on that portion of State Route 2004 carrying Broadway Street over the Casselman River in Summit Township, Somerset County, as the Airman Michael L. Menser Memorial Bridge;
- The bridge, identified as Bridge Key 15279, located on that portion of State Route 2025, also known as Morton Avenue, over Stony Creek in Morton Borough, Delaware County, as the Captain Michael Malinowski, Sr., Memorial Bridge;
- The section of State Route 2012 in Monroe County from Shafers School House Road, Segment 160, Offset 1013 heading east to Tanite Road, Segment 180, Offset 1457, as the Reverend Dr. Bishop William Earl Lee Highway;
- The bridge on I-70 in Westmoreland County over the Youghiogheny River as the Matthew Smelser Memorial Bridge;
- The portion of County Line Road (SR 2038) between N. Warminster Road and Newtown Road in Bucks County as the Captain William J. Ahlum Memorial Highway; and
- The portion of County Line Road (SR 2038) between N Warminster Road and Jacksonville Road in Bucks County, as the Specialist 4 Harold E. Cashman Memorial Highway. **Passed: 50-0.**

**House Bill 1710** (Hennessey) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to add a section requiring the Department of Transportation to design a special USA semiquincentennial registration plate with the phrase, “Let Freedom Ring – 250 Years” and featuring the Liberty Bell. Individuals interested in obtaining the plate would be required to apply to the Department and pay a fee of \$50, which would be in addition to the regular registration fee. The special registration plate would be available for a motorcycle, a passenger car or truck with a registered gross weight of not more than 14,000 pounds, or a motor home. The section would expire on December 31, 2026. **Passed: 49-1.**

[House Bill 2018](#) (Mullery) would authorize the Department of General Services (DGS), with the approval of the Department of Military and Veterans Affairs, to convey to Plymouth Borough, Luzerne County a permanent storm water drainage easement across approximately 0.525 acres of state land at the Plymouth Readiness Center for \$1.00. The purpose of the easement would be to establish and maintain a storm water drainage easement to properly collect, convey and discharge upstream runoff into Coalbrook Creek to reduce flooding hazards downstream. Terms and conditions of the conveyance would be established through an easement agreement executed by DGS. Costs and fees incidental to the conveyance would be borne by the grantee. In the event that the parties have not entered into an easement agreement within two years, the authorization for the conveyance would expire. [Passed: 50-0.](#)

[House Bill 2171](#) (Sonney) would amend the Public School Code to make a number of changes to the Pennsylvania State System of Higher Education. Among other provisions, the measure would:

- Clarify that the System has sovereign and official immunity status;
- Allow the System's Board of Governors to develop policies and procedures to create, expand, consolidate, transfer, or affiliate an institution (except for an institution with a fall 2019 headcount enrollment greater than 10,000). These provisions would not allow for the closure of an institution;
- Require the Board to direct the Chancellor to conduct a review of the financial stability of an institution before any proposed actions are taken;
- Direct the Chancellor to issue a report and recommendation to the Board and then develop a proposed implementation plan;
- Mandate a 60-day public comment period and public hearings during consideration of the implementation plan;
- Require an approved implementation plan to be provided to the chairs of the Senate and House Appropriations and Education Committees;
- Require the Chancellor to report quarterly to the Senate and House Appropriations and Education Committees on the progress of the implementation plan;
- Limit the Board's ability to approve a final implementation plan to three years from the effective date of the legislation;
- Permit the System to participate in, sponsor, conduct, or administer cooperative use or purchasing agreements;
- Change the appointment process for the three student members of the Board;

- Update certain powers and duties of the Board of Governors and the institutions' councils of trustees;
- Authorize campus police to disseminate investigative information to university officials for use in student disciplinary matters;
- Exempt student education records maintained in connection with a transaction, business or activity of the system or a university from the Right to Know Law; and
- Repeal outdated provisions. **Passed: 47-3.**

**House Bill 2418** (O'Neal) would amend the Administrative Code of 1929 to make a number of changes. Among other provisions, the legislation would:

- Extend the sunset date for the State Geospatial Coordinating Board from June 30, 2020, to June 30, 2024. The measure would also add the Secretary of Agriculture or a designee as a member of the board and clarify provisions for the appointment of local government representatives by the Senate and House of Representatives. An additional provision would allow the Board to hire an executive director with the approval of the Governor. Funding for the executive director's compensation would be evenly apportioned among the executive agencies represented on the board;
- Direct the Treasury Department, in conjunction with the Secretary of the Budget, the Auditor General and any chairperson of an authority, commission, agency or board that has the power to issue debt, to identify and review all outstanding debt obligations of the Commonwealth and its authorities, commissions, agencies, and boards and to submit a report of the findings to the General Assembly no later than October 30, 2020. The report would also have to identify any options for the refinancing of the outstanding debt to reduce the costs to the Commonwealth and its authorities; and
- Update provisions related to the Independent Fiscal Office (IFO). The bill would require the IFO to prepare actuarial notes for bills or amendments which could have a material actuarial impact on a public employee retirement plan. The State Employees' Retirement System or the Public School Employees' Retirement System would be directed to provide the office with all information necessary to complete an actuarial note within 14 days of the request for information by the IFO. In addition, the retirement systems would be required to submit to the IFO data showing the 30-year baseline projections for the retirement systems based on the state law in effect at the time of the submission. The data would have to be provided no later than October 1, 2020, July 31, 2021, and July 31 of each year thereafter to each. **Passed: 50-0.**

(2020-081)